

Table of 2000 Legislation that Affects IDEM (by Enrolled Act Number)

Enrolled Act #	Subject(s)	Synopsis	Effective Date(s)
SEA 12	Technical Corrections	Seven technical corrections were made that affect IDEM.	3/15/00
SEA 44	Public Freshwater Lakes	The Natural Resources Commission is directed to adopt rules to do the following: 1) Assist in the administration of the lake preservation laws of IC 14-26-2; 2) Provide objective standards for licensing the placement of a temporary or permanent structure or material, or the extraction of material, over, along, or within a shoreline or waterline; and 3) Establish a process for the mediation of disputes among riparian owners or between a riparian owner and IDNR concerning the usage of an area over, along, or within the shoreline or waterline.	7/1/00
SEA 46	Lakes Management Work Group	The Indiana Lakes Management Work Group is re-established. The activities of the work group will be directed to problems and issues associated with public freshwater lakes in Indiana. The work group must issue an interim report before July 1, 2001, and a final report before July 1, 2002.	3/15/00
SEA 262	Off-Site Access to a Spill or Release from an Underground Storage Tank	Before September 1, 2000, IDEM must develop a nonrule policy document to address the circumstances in which a spill or release from an underground storage tank may have migrated off-site.	3/17/00
SEA 317	Drinking Water Operator Certification	Operators of community water systems and nontransient noncommunity water system are required to be certified by IDEM. The number of years that a certificate is renewed for a water treatment plant operator or a water distribution system operator is extended from 2 years to 3 years. Continuing education hours must be met in order to receive a renewal certificate. Current operators are grandfathered until August 31, 2002, as long as specified conditions are met.	9/1/00

SEA 372	Special Waste and Industrial Waste	<p>“Industrial waste” is created as a new waste category. The term “industrial water” replaces “special waste”. The “special waste” category is eliminated. An industrial waste may be disposed of only at a solid waste landfill cell or unit that meets or exceeds Subtitle D design standards or in a waste-to-energy facility in accordance with the facility operating permit. There are two exceptions to this requirement. A generator of industrial waste must perform a waste determination. Before a generator first disposes of industrial waste, the person must provide the landfill with notification that the waste is not hazardous and identify any special handling requirements.</p>	7/1/00
SEA 431	Combined Sewers and Water Quality Standards	<p>A long term control plan fulfills the water quality goals of the state with respect to wet weather discharges that are a result of overflows from the combined sewer system if specified conditions are met. Designated uses and associated water quality criteria are temporarily suspended on a site specific basis for waters affected by discharges from combined sewer overflow (CSO) points listed in the NPDES permit due to wet weather events if an approved long-term control plan is implemented and other requirements are satisfied. IDEM may issue NPDES permits containing conditions that include alternate water quality based effluent limits. The Water Pollution Control Board must adopt a rule before September 1, 2001, establishing requirements for community notification by NPDES permit holders of the potential health impact of CSOs. Before October 1, 2000, IDEM must provide guidance to all CSO communities explaining the requirement of the use attainability analysis and the long term control plan to aid communities in determining how to comply with the requirements.</p>	3/17/00
	Water Body Designations and Water Quality	<p>IDEM is required to prepare a list of impaired waters, with public input, for purposes of complying with the Clean Water Act. Before October 1, 2003, the Water Pollution Control Board must establish policies and rules to govern the implementation of TMDL requirements of the Clean Water Act. Before July 1, 2000, IDEM must appoint a working group to consider and make recommendations on the implementation of maximum daily load requirements. Procedures for designating outstanding state and national resource waters are provided. For a water body designated as an outstanding state resource water, the board shall provide by rule, procedures that will prevent degradation, and allow for increases and additions in pollutant loadings from an existing or new discharge. The Outstanding State Resource Improvement Fund is established. Before July 1, 2001, IDEM must develop and maintain a Quality Assurance Program Plan and Information Management System to assess the validity and reliability of data. Before July 1, 2000, the EQSC shall appoint a Water Data Task Force to assess the program resource needs of IDEM to collect adequate physical, chemical, and biological data used by IDEM.</p>	3/17/00 & 7/1/00

SEA 490	Water Utility Service Extensions	If a health agency determines that an area that is located within a city, or within a county having a consolidated city (Marion County): 1) is served by private water wells; 2) suffers from a health hazard due to the presence of at least one contaminant; and 3) incorporates at least a portion of at least one census tract or block having a median household income of less than 200% of the most recently determined federal income poverty level; then the IURC may direct the nearest public utility to extend water utility service to that area.	7/1/00
SEA 511	Hazardous Waste Manifests and Annual Reports	Generators are directed to use the federal, rather than the state, hazardous waste manifest form. The state manifest fee is eliminated. The manifest form will no longer be required to be submitted to IDEM. Annual reports that summarize hazardous waste shipments during the previous calendar year must be submitted to IDEM before March 1 of each year. The first report must be submitted before March 1, 2002.	1/1/01 & 1/1/02
HEA 1008	Additional Power of the Vanderburgh County Solid Waste Management District	The Vanderburgh County Solid Waste Management District is granted the additional power to make grants or loans of money, property, or services to a public or private program to plant or maintain trees in an area of the district that is a right-of-way, public property, or vacant property.	7/1/00
HEA 1248	Regional Water and Sewer Districts	The noticing requirements of a hearing for establishing regional water, sewage, or solid waste districts that the hearing officer is responsible for making a reasonable effort to provide are expanded.	3/16/00
HEA 1343	Air Pollution Permitting Exemptions	326 IAC 2-1.1-3(b) on air permitting exemptions is void.	3/16/00
	White River Fish Kill Report	Before November 30, 2000, IDEM must prepare a report that includes the following: 1) A comprehensive and detailed report that describes plans for restoration of the White River; 2) IDEM's recommendations for changes in statutes, rules, or procedures and practices of IDEM to reduce the probability of contamination events and improve the timeliness and efficiency of protocols and procedures for notice to affected entities if such an event occurs in the future; and 3) A complete list of all events of contamination of waters of the state that occurred after Dec. 31, 1994, in which fish or other aquatic species were killed and in which civil penalties were imposed.	3/16/00
	Wastewater Plant Notification to IDEM of a Contaminant	If a POTW permittee: 1) determines that an upset has occurred; or 2) has knowledge of an imminent threat from a chemical or other release to the collection system that is likely to cause an upset in the POTW that is likely to pose a threat to human or animal life; the permittee shall notify IDEM within 2 hours. If IDEM receives notification from a POTW permittee, IDEM: 1) must notify all appropriate state and local government agencies; 2) may provide technical assistance to the POTW as IDEM determines is necessary; and 3) must notify the affected news media; not more than 48 hours after receiving the notification.	3/16/00

HEA 1343 (continued)	Criminal Fines for Environmental Offenses	The fines are doubled for being convicted of a Class D felony for violating environmental laws.	7/1/00
HEA 1395	Uniform Electronic Transactions Act	Procedures for conducting electronic transactions of electronic records and electronic signatures are provided.	7/1/00

Note that resolutions do not have the effect of law. They are used to express the sentiment of the House and/or Senate.

*** Note that although a resolution was not adopted, it still may be acted upon.**

Resolution #	Subject	Synopsis	Resolutions do not go to the Governor for signature or have an effective date
SCR 9	Review of Lake Management Programs	The Governor is urged to issue an executive order or other appropriate directive instructing the appropriate state agencies (IDEM, IDNR, ISDH) to review all the various lake management and lake protection programs and responsibilities with the intent of consolidating programs, projects, and personnel, where appropriate, into one identifiable lake management unit within an existing agency of government.	*
SCR 16	Economic Analyses and Risk Assessments Regarding Environmental Rules	The IGA deems it necessary and proper to consider the feasibility of appointing a third party entity to perform all economic analyses and risk assessments regarding state environmental rules, as well as to institute regulatory reforms to reduce requirements for reporting, record keeping, and issuance of permits.	*
SCR 26	Review of Lake Management Programs	The Governor is urged to issue an executive order or other appropriate directive instructing the appropriate state agencies (IDEM, IDNR, ISDH) to review all the various lake management and lake protection programs and responsibilities with the intent of consolidating programs, projects, and personnel, where appropriate, into one identifiable lake management unit within an existing agency of government.	*
SCR 34	Merchant Power Plants	The Legislative Council is urged to require the Regulatory Flexibility Committee to study the topic of merchant power plants.	Adopted

SR 12	Renaissance Zones	The Legislative Council is urged to establish an interim study committee on the desirability and feasibility of establishing Renaissance Zones in Indiana.	*
HCR 81	Merchant Power Plants	The Legislative Council is urged to require the Regulatory Flexibility Committee to study the topic of merchant power plants.	*
HR 102	Regional Water and Sewer Districts Study Committee	The Legislative Council is urged to establish an interim study committee to study regional water and sewer districts.	*